

## Message Text

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ORIGIN PA-02

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FOR CARTER FROM PA

E.O. 11652: N/A

TAGS: SOPN, OVIP (VANCE)

SUBJECT: PRESS MATERIAL

1. HEREWITH FULL TEXT WALL STREET JOURNAL LEAD EDITORIAL TUESDAY AUGUST 23 HEADED "STANDING UP TO THE ACT."

2. AMID THE CONFUSING MIXED SIGNALS THE CARTER ADMINISTRATION PUT OUT IN ADVANCE OF SECRETARY OF STATE VANCE'S CURRENT VISIT TO CHINA, ONE ITEM CAUGHT OUR EYE. PEKING'S TERMS FOR AN EXCHANGE OF FULL AMBASSADORS HAVE ALWAYS INCLUDED THE ABROGATION OF OUR MUTUAL DEFENSE TREATY WITH TAIWAN. NOW, WE NOTICE, PROPONENTS OF ACCEPTING THE COMMUNIST TERMS ARE SAYING THE TREATY SHOULD BE "ALLOWED TO LAPSE."

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3. NOW, THIS IS AN INTRIGUING SEMANTIC CHANGE. TO ABANDON SOMETHING, YOU HAVE TO FACE UP TO THE DASTARDLY ACT ITSELF. IT IS MUCH EASIER TO ALLOW SOMETHING TO LAPSE; YOU CAN JUST STAND ASIDE AND LET NATURE TAKE ITS COURSE. WHAT, WE PONDERED, WAS THE SIGNIFICANCE OF THE DIFFERENCE?

4. WHEN DOES THE MUTUAL DEFENSE TREATY EXPIRE, WE

INNOCENTLY ASKED ONE CHINA EXPERT LOBBYING FOR PEKING'S TERMS? FOR THAT MATTER, JUST WHAT DOES IT TAKE TO ABROGATE A TREATY APPROVED BY TWO-THIRDS OF THE SENATE AND THUS UNDER ARTICLE VI OF THE CONSTITUTION PART OF THE SUPREME LAW OF THE LAND? THERE FOLLOWED AN EXCURSION THROUGH THE MURKY WATERS OF INTERNATIONAL LAW, REACHING SUCH STRANGE OUTPOSTS AS THE ONCE-PROPOSED BRICKER AMENDMENT BUT FINALLY DISCOVERING THE ROSETTA STONE OF THE SEMANTIC SHIFT.

5. THE MUTUAL DEFENSE TREATY, SIGNED IN 1954, PROVIDES, "THIS TREATY SHALL REMAIN IN FORCE INDEFINITELY. EITHER PARTY MAY TERMINATE IT ONE YEAR AFTER NOTICE HAS BEEN GIVEN TO THE OTHER PARTY." BUT, A NATIONALIST CHINESE OFFICIAL CONFIDES, PRESIDENT CARTER "WOULD NOT TAKE THAT ROUTE BECAUSE IT WOULD EXPOSE HIM TO A YEAR OF POLITICAL CONTROVERSY. NOT WANTING TO "ABROGATE," HE WOULD "ALLOW TO LAPSE."

6. WHAT THIS TURNS OUT TO MEAN IS THAT THE UNITED STATES OF AMERICA WOULD SOLEMNLY ANNOUNCE: WE HEREBY RECOGNIZE THE PEOPLE'S REPUBLIC OF CHINA; WE HEREBY DERECOGNIZE THE REPUBLIC OF CHINA; AND BY THE WAY, SINCE IN OUR EYES THE REPUBLIC OF CHINA NO LONGER EXISTS, IT UNCLASSIFIED

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FOLLOWS THAT ANY TREATY OBLIGATIONS WE HAPPEN TO HAVE HAD WITH IT HAVE ALSO VANISHED FROM THE FACE OF THE EARTH. NO MESS, NO FUSS, NO HAND-WRINGING AROUND THE SUPREME LAW OF THE LAND. THE MUTUAL DEFENSE TREATY WOULD BE "ALLOWED TO LAPSE."

7. IT IS BY NO MEANS CLEAR, WE HASTEN TO ADD, THAT THE CARTER ADMINISTRATION ACTUALLY PLANS ANY SUCH THING. CERTAINLY THE TAIWANESE ARE PERSUADED THEY ARE ABOUT TO BE ABANDONED, AND HAVE CALLED UP THEIR ROTARY CLUBS IN THE RESULTING LOBBYING EFFORT. ON THE OTHER SIDE, CHINA SCHOLARS WHO ADVOCATE "NORMALIZATION" HAVE BEEN CLAIMING THEIR VIEWS NOW DOMINATE ADMINISTRATION THINKING. BUT THE BACKGROUNDERS FROM WASHINGTON SAY MR. VANCE EXPECTS NOTHING DRAMATIC FROM HIS CURRENT MISSION.

8. THE MOST LOGICAL EXPLANATION OF THE CONFUSION IS THAT ON THIS ONE PRESIDENT CARTER HAS NOT QUITE YET BEEN ROLLED BY HIS STAFF. HE INSISTS ON ASKING FOR A PLEDGE THAT PEKING WILL NOT USE FORCE TO TAKE OVER TAIWAN, OR AT LEAST FOR ITS AGREEMENT NOT TO COMPLAIN ABOUT CONTINUING U.S. ARMS SHIPMENTS TO THE ISLAND. SUCH

REQUESTS ARE LIKELY TO IRRITATE THE CHINESE LEADERS, LEAVING THEM FEELING THEY ARE NOT BEING TAKEN VERY SERIOUSLY; IT IS BETTER FOR THE U.S. TO SAY AS LITTLE AS

POSSIBLE ABOUT THE ISSUE. BUT WHEN THE CHINESE REFUSE SUCH CONDITIONS, THE PRESIDENT WILL BE TOLD HE SHOULD DROP THEM ONE BY ONE. WE MAY YET END UP SWALLOWING THE CHINESE TERMS AND PRESSURING TAIWAN TO MAKE THE BEST DEAL IT CAN WITH THE COMMUNISTS -- SIMPLY BECAUSE NO LESSER STEP WILL IN FACT ACHIEVE THE BENEFITS IN TERMS OF CHINESE FRIENDSHIP THAT "NORMALIZATION" IS SUPPOSED TO BRING.

9. THE CHIEF COST OF MOVING TO SUCH A POSITION WOULD BE UNCLASSIFIED

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TO CALL ALL U.S. TREATY COMMITMENTS INTO QUESTION. AND THE "ALLOW TO LAPSE" FORMULA WOULD MAXIMIZE THIS COST, SHOWING THE U.S. SO CONTEMPTUOUS OF ITS COMMITMENTS IT WAS WILLING TO END THEM WITH THE STROKE OF A PEN, NOT EVEN FOLLOWING THE AGREED PROCEDURES FOR DOING SO. THE FOUNDING FATHERS WERE WISE ENOUGH TO RECOGNIZE THAT TREATIES CANNOT BE TREATED AS SCRAPS OF PAPER, WHICH IS WHY THEY DESIGNATED THEM PART OF THE SUPREME LAW.

10. TO BE CONCRETE, IT IS NOT HARD TO IMAGINE THAT THE RELIABILITY OF U.S. TREATY COMMITMENTS MIGHT AT SOME POINT BECOME THE LINCHPIN OF PEACE IN THE MIDDLE EAST, WITH ITS OVERTONES OF AVOIDING WORLD CONFLAGRATION. WE COULD EASILY BE ASKING ISRAEL TO COMPROMISE ON BORDERS AND OFFERING A U.S. DEFENSE GUARANTEE IN RETURN. AT THAT POINT, OUR TASK OF PERSUASION WOULD BE A LOT EASIER IF OUR RECENT HISTORY SUGGESTED WE TAKE TREATIES SERIOUSLY, AS COMMITMENTS TO REAL COUNTRIES WITH FLESH-AND-BLOOD PEOPLE. THE TASK WOULD BE A LOT HARDER IF INSTEAD OUR HISTORY SHOWED WE WERE WILLING TO CHANGE THEM OVERNIGHT BY RECOGNIZING SOME COMPETING CLAIM TO SOVEREIGNTY OVER A CONTESTED PIECE OF REAL ESTATE.

11. THIS IS OF COURSE AN ARGUMENT AGAINST ANY CANCELLATION OF THE TREATY WITH TAIWAN, BUT IT IS AN ESPECIALLY PERTINENT ARGUMENT AGAINST ENDING IT THROUGH SOME BACKHANDED FORMULA. IF THE DAY DOES COME, WE HOPE THE UNITED STATES WILL AT LEAST HAVE THE DIGNITY TO STAND UP AND ABROGATE THE TREATY IN A MANNER BEFITTING A GREAT POWER. END TEXT. CHRISTOPHER

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